

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
Harrisonburg Division**

**JOHN DOE 4, by and through his  
next friend, NELSON LOPEZ, on behalf of  
himself and all persons similarly situated,**

*Plaintiffs,*

**v.**

**SHENANDOAH VALLEY JUVENILE  
CENTER COMMISSION,**

*Defendant.*

**CIVIL ACTION**

**Case No.: 5:17-cv-00097-EKD**

**Honorable Elizabeth K. Dillon**

**DEFENDANT'S MOTION FOR PROTECTIVE ORDER**

Defendant Shenandoah Valley Juvenile Center Commission, by counsel, pursuant to Fed. R. Civ. P. 26(c), moves this Court for the entry of a Protective Order limiting the scope of Plaintiffs' First Requests for Admissions to (a) facts and documents related to members of the class certified by the Court on June 27, 2018; and (b) the time period encompassed by Defendant's current behavioral management program, which commenced on August 1, 2016. In accordance with Rule 26(c)(1), counsel for Defendant certifies having conferred in good faith with Plaintiffs' counsel on several occasions in an effort to resolve this matter without the involvement of the Court. However, the parties have not been able to resolve this matter, which involves evidentiary issues pertinent to the parties' preparation for and conduct of the trial in this case. Defendant respectfully requests that the Court enter an Order granting its motion for good cause shown and for the reasons set forth in Defendant's supporting Brief filed contemporaneously herewith.

DATED: October 17, 2018

**Respectfully submitted,**  
**SHENANDOAH VALLEY JUVENILE**  
**CENTER COMMISSION**  
*By Counsel*

By: /s/ Jason A. Botkins  
Jason A. Botkins (VSB No. 70823)  
Melisa G. Michelsen (VSB No. 40001)  
Litten & Sipe, LLP  
410 Neff Avenue  
Harrisonburg, Virginia 22801-3434  
Telephone: (540) 434-5353  
Facsimile: (540) 434-6069  
Email: jason.botkins@littensipe.com  
Email: melisa.michelsen@littensipe.com

Harold E. Johnson (VSB No. 65591)  
Meredith M. Haynes (VSB No. 80163)  
Williams Mullen  
200 South 10<sup>th</sup> Street  
Richmond, Virginia 23219  
Telephone (804) 420-6000  
Facsimile: (804) 420-6507  
Email: hjohnson@williamsmullen.com  
Email: mhaynes@williamsmullen.com

*Counsel for Shenandoah Valley Juvenile Center Commission*

**CERTIFICATE**

I certify that on the 17<sup>th</sup> day of October, 2018, I electronically filed the forgoing document with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to:

Hannah M. Lieberman (*pro hac vice*)  
Tiffany Yang (*pro hac vice*)  
Mirela Missova (*pro hac vice*)

Washington Lawyers Committee  
for Civil Rights and Urban Affairs  
11 Dupont Circle, NW, Suite 400  
Washington, D.C. 20036  
Telephone: (202) 319-1000  
Facsimile: (202) 319-1010  
hannah\_lieberman@washlaw.org  
tiffany\_yang@washlaw.org  
mirela\_missova@washlaw.org

*Attorneys for Plaintiff John Doe 4*

Theodore A. Howard (*pro hac vice*)  
Bradley C. Tobias (VSB No. 88046)  
J. Ryan Frazee (*pro hac vice*)

Wiley Rein LLP  
1776 K Street, NW  
Washington, D.C. 20006  
Telephone: (202) 719-7120  
Facsimile: (202) 719-7049  
thoward@wileyrein.com  
btobias@wileyrein.com  
jfrazee@wileyrein.com

/s/ Jason A. Botkins  
*Counsel for Shenandoah Valley  
Juvenile Center Commission*